

FILED

MAR 23 2006

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, 1:97-CR-05024 OWW

Plaintiff,

vs.

**ORDER FOR REMOVAL OF PRISONER
FROM FRESNO COUNTY JAIL TO
UNIVERSITY MEDICAL CENTER**

JOSEPH H. HERNANDEZ

Defendant.
_____ /

The defendant in the above-captioned action, Joseph H. Hernandez, came into the custody of the United States Marshal Service on or about March 22, 2006, in Fresno, CA, by virtue of an arrest warrant issued by the Honorable Oliver W. Wanger, District Judge of the United States District Court, Eastern District of California. The defendant awaits hearing on an alleged probation violation, with a March 28, 2006 status hearing before U.S. District Judge Wanger.

The defendant suffers from many and serious health problems requiring professional medical monitoring and care, and has been assessed by doctors and nurses at University Medical Center confirming these needs. It appearing there are inadequate

1 facilities and professionals at the Fresno County Jail to care
2 for the defendant while he awaits his next court hearing date of
3 March 28, 2006. (See Memo from Carol Parmely, R.N. attached
4 hereto as Exhibit A).

5 This Court HEREBY ORDERS that the defendant, Joseph H
6 Hernandez, be immediately removed and ~~or~~^{to} remain in the University
7 Medical Center rather than being housed in the Fresno County
8 Jail. The Sheriff is to permit the absence of the defendant from
9 the Fresno County Jail while continuously confined in the
10 University Medical Center, provided, however, that the Sheriff
11 maintain the necessary guards for the safekeeping of the prisoner
12 as provided by California Penal Code § 4011.

13 IT IS SO ORDERED.

14
15 DATED: March 23, 2006



LAWRENCE J. O'NEILL
UNITED STATES MAGISTRATE JUDGE



Medical Services-Detention Facilities

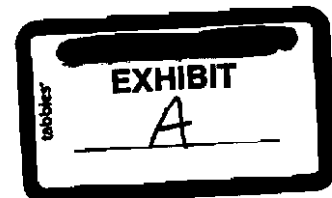
Inter Office Memo

DATE: March 23, 2006
TO: Susan Perry, Federal Marshall's Office
FROM: Carol Pamely, RN, FNP, Fresno County jail Head Nurse CP
SUBJECT: Joseph Hernandez

Joseph Hernandez was in a MVA (Motor Vehicle Accident) last month. He suffered an open, compound fracture of his left femur that required extensive surgery and attachment of metal hardware (rods and pins), and subsequently no weight-bearing until next month to determine if he needs a total hip replacement. He also has a spinal injury resulting in partial paralysis of both lower legs and is unable to take care of his essential personal hygiene. He is incontinent of both bowel and bladder and unable to transfer himself from bed to bedside commode or to a wheelchair. His family has been taking care of him at home up to now.

Our Outpatient Housing Unit at this Jail is only able to care for those patients who are able to do all of their own personal care and the one RN that takes care of the 37 bed ward acts like a Home Health Nurse, not like a hospital full-care nurse.

As long as this patient is unable to take care of his own personal needs, the Jail is unable to keep him and will require a 4011 court order to send him to UMC so they can keep him and care for him.



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*SENDER INITIALS: _____

FRESNO COUNTY HUMAN SERVICES SYSTEM
COMMUNITY HEALTH DEPARTMENT
JAIL MEDICAL SERVICES

559-488-2866

TO:	<i>Susan Perry</i>	FROM:	<i>Carol Parnely</i>
COMPANY:	<i>Fed Marshall</i>	DATE:	<i>3/23/06</i>
FAX NUMBER:	<i>487-5616</i>	NO. OF PAGES INCLUDING COVER:	<i>2</i>
PHONE NUMBER:	<i>487-5573</i>	SENDER'S FAX NUMBER:	(559) 488-3298
REGARDING:	<i>Joseph Hernandez</i>	SENDER'S PHONE NUMBER:	(559) 488-3076
NOTES/COMMENTS:			

MAIN DETENTION FACILITY
1225 "M" STREET
FRESNO, CA 93721